

REMARKS

Claims 166-185 are pending in the application. Claims 166-185 currently stand rejected. The Applicant respectfully requests consideration of the following remarks and allowance of the claims.

35 U.S.C. § 102 Rejection

Claims 166-167, 169-172, 176-177, and 179-182 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,687,241 (hereinafter “Goss”). The Applicant respectfully traverses the rejection for at least the following reasons.

In order to anticipate a claim under 35 U.S.C. § 102, “the reference must teach every aspect of the claimed invention either explicitly or impliedly” (MPEP § 706.02(V); see also MPEP § 2131). The Applicant respectfully asserts that Goss does not teach every aspect of claim 166.

For example, claim 166 provides for using a cookie to setup a voice call *from* a user device *to* a call center resource, over which voice communications are exchanged. In contrast, Goss teaches using a cookie to setup a voice call *from* a call center resource *to* a user device. To the extent Goss discusses using the cookie to route a call-back request to a call center resource, the Applicant respectfully notes that the call-back request itself is not a call over which voice communications can be exchanged. Rather, the subsequent call placed back to the user is a call over which voice communications can be exchanged, but as mentioned previously, this call is placed from the call center resource to the user. Thus, Goss fails to anticipate claim 166.

More specifically, claim 166 recites receiving a voice call from a user device, including a cookie. The cookie is processed to select a first call center resource. A routing instruction indicating a route from the user device to the first call center resource over which voice communications are exchanged is then generated and transferred. In other words, the cookie is used to setup the voice call from the user device to the call center resource.

In contrast, Goss teaches that a cookie is gathered from a user when the user initiates a call-back process via a personal computer (PC) with a web browser (Goss, col. 4, lines 1-10 and col. 7, lines 32-67). At this time, the user has not called the call center.

Rather, an agent at the call center – at a subsequent time – calls the user back (Goss, col. 9, lines 47-56). At this point telephony can proceed (see *Id.*). Thus, in Goss the agent is selected based on information contained in the cookie (Goss, col. 7, lines 62-67). In other words, the cookie is used to setup a voice call from the agent to the user.

Goss also teaches that a call back process may be initiated in response to a voice call placed by a user to a call center over a PSTN (Goss, col. 10, lines 30-31). However, in this case, no cookie is included.

Consequently, in the entirety of Goss, a cookie is used only to setup a call from the agent to the user. However, in order to anticipate a claim the MPEP requires that the elements be “arranged as required by the claim” (MPEP 2131; *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)). Goss does not arrange the elements as required in claim 166. That is, even in examples whereby the user calls the agent, the call does not include a cookie to setup a voice call from a call center resource to a user device, as required by claim 166. Goss therefore fails to anticipate claim 166 and an indication of allowance is respectfully requested.

Based on the foregoing comments, the Applicant contends that claim 166 is allowable in view of the cited reference, and such indication is respectfully requested. Independent claim 176 contains limitations similar to those of claim 166, and is therefore allowable over the art of record for at least the same reasons as claim 166.

Claim 167 requires receiving a redirect instruction in the call server, processing the redirect instruction to select a second call center resource, generating a second routing instruction indicating a second route for the voice call originating *from* the user device *to* the second call center resource, and transferring the second routing instruction to be used when routing the voice call *from* the user device *to* the second call center resource over which voice communications will be exchanged. Goss does not teach these limitations.

Rather, Goss teaches transferring a call-back request – not a voice call – which originates from a user device. For example, in Goss a customer may download a callback applet to a browser (Goss, col. 12, lines 54-56) and then enter the phone number that they desire to receive a callback on, and then click a “Call Me” button on their browser (Goss, col. 12, lines 56-59). A call-back request is then provided to an agent’s screen pop application (Goss, col. 13, lines 10-13). At this point, without receiving a call from the

user device or commencing the call-back, the agent may determine the need to transfer the call to another call center (Goss, col. 13, lines 13-15). Accordingly, the call center may then route the call to another agent that commences the call. Thus, Goss clearly does not teach generating a second routing instruction indicating a second route for the voice call originating from the user device to the second call center resource because *the transferred call-back request initiates a call commenced by an agent – not a user*, as required by claim 167.

Based on the foregoing comments, the Applicant contends that claim 167 is allowable in view of the cited reference, and such indication is respectfully requested. Dependent claim 177 contains limitations similar to those of claim 167, and is therefore allowable over the art of record for at least the same reasons as claim 167.

While separately allowable over the art of record, the remaining dependent claims 169-172, and 179-182 depend from otherwise allowable independent claims. The Applicant therefore refrains from a discussion of the dependent claims 169-172, and 179-182 for the sake of brevity.

35 U.S.C. § 103 Rejection

Claims 168 and 178 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goss in view of U.S. Patent No. 6,836,476 (hereinafter “Dunn”). The Applicant respectfully traverses the rejection for at least the following reasons.

Claim 168 requires that the voice call comprise a Get Document request in Hyper Text Transfer Protocol. The Office action admits that Goss fails to teach these limitations (Office action, p. 8, third paragraph). Dunn is provides as teaching these aspects.

However, Dunn does not teach a voice call that comprises a Get Document request in Hyper Text Transfer Protocol. Rather, Dunn generally teaches that a user can be set up with a voice or data connection and then a service can be provided (Dunn, col. 6, lines 10-30; col. 6 line 65- col. 7 line 4). Nonetheless, providing a service over a voice or data connection, as taught by Dunn, clearly does not render obvious a voice call that comprises a Get Document request in Hyper Text Transfer Protocol. Accordingly, Dunn fails to overcome the shortcomings of Goss with respect to these limitations.

Based on the foregoing comments, the Applicant contends that claim 168 is allowable in view of the cited reference, and such indication is respectfully requested. Dependent claim 178 contains limitations similar to those of claim 168, and is therefore allowable over the art of record for at least the same reasons as claim 168.

Claims 173 and 183 stand rejected under 35 U.S.C. § 103(a) as being upatentable over Goss in view of U.S. Patent Application Publication No. 2002/0021693 (hereinafter “Bruno”). Claims 174 and 184 stand rejected under 35 U.S.C. § 103(a) as being upatentable over Goss in view of U.S. Patent No. 6,687,241 (hereinafter “Vered”). Claims 175 and 185 stand rejected under 35 U.S.C. § 103(a) as being upatentable over Goss in view of U.S. Patent No. 7,536,002 (hereinafter “Ma”).

While separately allowable over the art of record, claims 173-175 and 183-185 depend from otherwise allowable independent claims. The Applicant therefore refrains from a discussion of the dependent claims for the sake of brevity.

CONCLUSION

Based on the above remarks, the Applicant submits that the claims in their present form are allowable. The Applicant further submits that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. No estoppel is intended and no estoppel should apply to assertions in the recent Office Action that are not refuted herein. The Applicant respectfully requests allowance of the claims at the Examiner's earliest convenience.

The Applicant believes no fees are due with respect to this filing. However, should the Office determine fees are necessary, the Office is authorized to charge Deposit Account No. 21-0765 accordingly.

Respectfully submitted,

/Brian L. Arment/

SIGNATURE OF PRACTITIONER

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